A

Previous References (1941 hl) File No 111—41
Serial Nos 65, 66

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for April 42

SUBJECT

Draft Bye-laws for the regulation the disposal of the dead in Bangalore city

To,

The Honourable Commissioner
& City

Hon Dear Sir H

L 10247—8/ 27—4—42

Affairs of the ——

hi
26/42

5229 (II)

General and Revenue Secretariat | Mel File No. | of 194 0 | [App F III-2

Serial No	
	From The Mel Commr Bdgs, the 30th No Cs C 342. Dy 30-4-41
	Forwards for approval, draft Byelaws framed by the Mel Cl, under Section 516(G) of the Cy Mcipties Act 1933, for regulating the disposal of the dead in the city and the Dr of Public Health may perhaps be consulted in the first instance as to the suitability of the Byelaws as they relate to the question of the Health of the city
	4/5 Forwarded with compliments for view Director of Public Health for favour of scrutiny and opinion
	By order
	5-5-41 For Town Secy
2/11	
Dr 5-5-41	

NOTE—Contn Sheet

File No 1(229) 500 of 194

General and Revenue Secretariat
18 AUG. 1941
Serial No

The Bye-laws framed under Sec 51 (1) (g) of the City Improvement Act & the Current are in order

I would suggest that in last Section (vi) Sec 22, may be expunged and that Sections be charged a bill by reducing the fine from Rs 100/- & Rs 50/-

The addition of Bye-Laws as suggested by the Director of Health does not seem to be necessary over here, for, if no one buries a corpse in a "unsavoury grave or does any act to conceal a corpse 'otherwise than decently covered' Sec 22 & 23 as proposed by the Director, may be relained if thought necessary. The suggestions made by the Director are in the laws of the existing Bye-laws.

With these observations, I suggest that the Bye-laws may be approved

Law Secretary) 17/8/41

I think the additional Byelaws suggested by the D P H may be accepted

The Bye-laws proposed by the Municipality together with the additions suggested by the D P H may be approved

Minister L S G) 22/8/41

22/8/41

20 8 41

11/9/41

Thanjavur dt 18/8/41

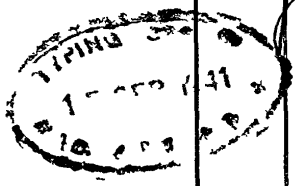
OFFICE OF THE MINISTER FOR L S G & P H
Date 27-8-41
No 1189

5229 (2)
L

General and Revenue Secretariat — File No 111 of 1941 — [App F III-2

Serial No

Send back a draft Go for appl
9/9
Law Secy) 9/9



Hm
2
14/9/41
for L 15/9

66 To the Md Commr, Bly, ~~Hms Dpt~~
The Dr of P Health
No L 10247-8 Dy 27-4-42
Approves of the Byelaws as
now drafted

Ag
Lt 20/5

NOTE—Contn Sheet

File No of 194

General and Revenue Secretariat

Serial No

05229/L

BANGALORE CITY MUNICIPALITY

No C2.C.342/40

MUNICIPAL OFFICES

Bangalore 26th April 1941

111-41-65

From

S NARAYANA RAO ESQ M A (HONS)
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

H V. NARAYANA RAO,ESQ.,B.A ,LL.B ,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT, BANGALORE

SIR,

I have the honour to forward herewith for favour of orders of Government a copy of the draft Bye-laws as approved by the Bye-law Committee and the City ~~Municipal~~ Municipal Council at their meetings held on 25-3-1941 and 18-4-1941, for regulating the disposal of the dead The subject came up in the first instance before the Bye-law Committee and the Council at their meetings held on 14-11-1940 and 14-12-1940 respectively and ~~they were~~ it was approved Objections were called for and no objections were received within the stipulated period.

Copies of the resolutions of the Bye-law Committee and of the Council are enclosed herein for favour of reference and obtaining the sanction of Government

I have the honour to be,
S i r,
Your most obedient servant,

Forwarded with ~~compliments~~

HONORARY PRESIDENT

MUNICIPAL COMMISSIONER

SVS

Minutes of the Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Friday the 18th April 1941 at 8 A.M. in the Council Chamber of the City Municipal Offices, Bangalore.

--.oOo --

Present

W. H. Hanumanthappa,Esqr.,
Honorary President.

1. Mr.V.K.Govindarajulu,B.A.,B.L.
2. " N.Kesavienger,B.A.,B.L.
3. " Ramalal Thiwari
4. " L.S.Raju,M.A.'Hons),B.L.
5. " V.Venkataramanappa
6. " G. Nanjappa
8. " K.Hanumanthiah,B.A.,LL.B.
8. " T. Gangadharaswamy
9. " B. Narasimhiah
10. " V. Venkataswami Chetty
11. " K. Ganga Setty
12. " K.N.Ramaswami,B.A.
13. Mr.K.Shamarajaiengar,B.A.
14. " C.N.Narasinga Rao,B.A.,B.L.
15. " H.R.Guruv Reddy,B.A.,LL.B.
16. " M.A.Gopalaswami Iyengar, M.A.,LL.B.
17. " M.R.Honnappa,B.A.,B.L.
18. " M.K.Narayana Iyengar,B.A.,B.L.
19. " H.C.Suryanarayana Rao
20. " B.Subbiah,B.Sc.,LL.B.
21. " O.S.Nasarulla Sheriff, M.A.,LL.B.
22. " Mirza M.Azizulla Beig
23. " S.N.M. Razvi
24. Dr. M. Royan,M.D.
25. Mr.V. Chikkayellappa

Absent

1. Mr. R. Subbanna
2. " A.Madhava Iyengar,B.A.
3. Mr. Kota Kamakshiah Setty
4. " A.J.Khaleel,B.A.,B.L.

-- oOo --

svs.

BANGALORE CITY MUNICIPALITY

-- oOo --

Proceedings of the Meeting of Council dated 18-4-1941.

Subject No.15

Opinion of the Bye-law Committee meeting dated 25-3-1941 approving the draft of the bye-laws for regulating the disposal of the dead in the Municipal limits.

RESOLUTION - Approved

Sd/- W H Hanumanthappa,

HONORARY PRESIDENT

-- oOo --

"C O P Y"

MUNICIPAL COMMISSIONER

29 4 41

svs

PROCEEDINGS OF THE BYE-LAW COMMITTEE MEETING

DATED 25-3-1941.

-- oOo --

Subject No 6

Council Resolution dated 15-3-41 referring the draft Bye-laws for regulating the disposal of the dead in Municipal limits, to the Bye-law Committee

RESOLUTION -

The draft Bye-laws may be approved

Sd/- L S Raju,

CHAIRMAN

-- oOo --

"C O P Y"

MUNICIPAL COMMISSIONER 29/4/41

SVS

10. No person shall build or dig or cause to be built or dug any grave in any burial-ground, at a less distance than two feet from the margin of any other existing grave.

11. No person shall, without the sanction in writing of the Commissioner or an order in writing of a Magistrate of competent jurisdiction, re-open a grave already occupied

12. Whoever brings or conveys or causes to be brought or conveyed a corpse or part thereof to any burial or burning ground, shall cause the same to be buried or burnt within six hours after its arrival at such ground

13. No person, when burning or causing to be burnt a corpse or part of a corpse in any burning ground, shall permit the same or any part thereof to remain without being completely reduced to ashes.

14. No person shall permit clothes or any other articles connected with the burning of any corpse, to remain at or near a burning ground without being completely reduced to ashes.

15 All burials and burnings in the cemeteries shall be registered by the cemetery registrar in books in the form as per appended schedule "A" All such entries shall be made consecutively from the beginning to the end of the book.

16. Whoever brings or conveys or causes to be brought or conveyed a corpse to any burial or burning ground, shall give to the Cemetery Registrar in charge according to the best of his or her knowledge and belief such information of the several particulars as may be required to be known and registered touching the death of such person.

17. No person shall act as Sextiyan, grave digger or other attendant in a Municipal burial or burning ground without being licensed for that purpose by the Commissioner Licenses granted for such purposes shall be in the form as per appended schedule 'B' and may be withdrawn or cancelled

at the discretion of the Commissioner.

18 No person shall erect, build or cause to be erected or built any monument or tomb, stone, marine, temple, building, enclosure in any municipal burial or burning ground without the sanction in writing of the Commissioner. A fee of eight annas per square foot or part of a square foot shall be paid by the applicant before such sanction is granted by the Commissioner. The Commissioner may cause any thing so erected or built without his sanction, to be demolished. Provided that any person may erect, free of charge, over the graves of persons dying in the Municipal Hospital, stone, coral, brick or wood, such as may be required by the religious usages of that community

19 No person shall burn or bury the dead body in any place other than in the municipal burning or burial grounds or in any place duly registered for such purpose in the office of the Municipal Council under Bye-law 2.

(For Nos 20 – 23 Please see the sheet next Page)

24 No person shall throw any dead body in any street which is prohibited by notification by the Municipal Council

25 No dead body shall be kept in any premises after burial or cremation for more than thirty six hours after death.

26 Whoever infringes any of the provisions of these Bye-laws shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs 100/-

"Copy"

for Municipal Commissioner 29/4/41

For reply to Court
Law Dept

20. No Corpse shall be buried in any Vault or masonary Grave provided with a permanent floor which is so intended at any ~~after~~ after time within fourteen years to reopen unless the Coffin be separately entombed in an air tight manner by properly cemented stone or brick work which ~~shall~~ shall never be disturbed

21 No person shall carry a Corpse or Part of a Corpse through any Street, otherwise than decently Covered

22 No person while carrying a Corpse within the city shall leave or expose the same in or near any Street for any purpose whatever

23 No person shall remove otherwise than in a closed receptacle any Corpse or part of a Corpse kept or used for the purpose of dissection

SCHEDULE A (Under Bye-law 15)

Name.	Age.	Sex		Nationality or Caste	Occupation or calling (in the case of Soldiers enter rank, number and Regiment	Place or residence and of death	Date of death	Cause of death.	Duration of illness	Name of the Medical Practitioner
		Male.	Female							
1	2	3		4	5	6	7	8	9	10

SCHEDULE "B" (Under Bye-Law 17)

Bangalore City Municipality

-oOo-

Health Department.

-o-

Under the provisions of the Bye-laws for regulating the disposal of the dead, ...
is hereby licensed to act as . ..
at the . . . burial and burning ground on . . . . .. road in the Municipal Division under the conditions named on the reverse hereof

Place
Date

Municipal Commissioner.

Conditions referred to

License

This licence may be withdrawn or cancelled on proof of the licensee,

(a) not being available, without reasonable excuse at the said burial or burning ground at any time or times at which his service as may be required by any member or members of the community usually resorting to it.

(b) or neglecting to do the duty usually required of him there as such on occasions of burial or burning

(c) or causing, or permitting, or being a party to, any infringement of the rules laid down in the bye-laws for regulating the disposal of the dead, as far as they affect him and his duties as such

(d) or demanding or attempting to extort any fee,

(e) or being guilty of any misconduct which in the opinion of the Commissioner requires the withdrawal of the license

---

Snp/-

500/41

C No 169-N/237-41

Draft reply to U O file D 211

Retransmitted with compliments -

The proposed byelaws may be passed with the following additional clauses

After Section 19, section 20 should read as follows -

"No corpse shall be buried in any vault or masonary grave provided with a permanent floor which it is intended at any after time within fourteen years to reopen unless the coffin be seperately entombed in an air tight manner by properly cemanted stone or brick work which shall never be disturbed"

Section 21 to read - "No person shall carry a corpse or part of a corpse through any street, otherwise than decently covered"

Section 22 - "No person, while carrying a corpse within the city shall leave or expose the same in or near any street for any purpose whatever"

Section 23 - "No person shall, remove otherwise than in a closed receptacle any corpse or part of a corpse kept or used for the purpose of dissection

The present sections 20, 21, and 22 to be renumbered as 24, 25 and 26

for Commissioner

Director of Public Health

Hm 23/7/41

subject the Law section may also be consulted, as to the suitability of the by-laws proposed & their proper wording

Law (WC)

Law 21/61
25th July 1941

24/7/41

DRAFT BYELAWS FOR REGULATING DISPOSAL OF THE DEAD IN BANGALORE CITY LIMITS

Notes of comparison with those in force in the Corporation of Madras

	Madras		Bangalore	Remarks
1) Depth of grave	Cl No 1	corresponds to	Cl No 9	May be permitted
2) Larginal space around a grave 2 feet	2	"	10	-do-
3) Burial or cremation to be made within the place, demarcated	- omitted -			Might have omitted advisedl
4) Time for retaining a corpse in the burial ground (3 hours)	4	"	12(6 hours)	May be permitte
5) Sanction to reopen a grave already buried	5	"	11	May be permitted
6) Time for retaining corpse in the burning ground	6	"	12	Included in 12
7) Complete burning of corpse	7	"	13	May be permitted
8) -do- -do- clothes of corpse	8	"	14	-do-
9) Corpse to be covered	9	"	omitted	May be added
10) Prohibition against exposure of corpse	10		omitted	May be added
11) Receptacle for corpse intended dissection	11		omitted	May be added
12) Procedure for burial in vault or masonary grave	12		omitted — this could be necessary perhaps when a stay on the burial is desired	seems unnecessary
13) No of corpse to be buried in 1 grave	13	"	9	Included in Cl 9
14) Conditions for reopening a grave	14		omitted this may be necessary	Seems unnecessary
15) Conditions for disinterring a body	15		omitted	-do-

Clause 1 to 8 of the Bangalore Byelaws relate to fixing of the Municipal burial and burning grounds and registration of private ones and their fees etc and Clauses 15 to 22 relate to registers in burial grounds Construction of tombs and penalties

The draft byelaws may therefore be approved with the addition of Corporation Clauses 9, 10 and 11 & 14

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 27/4/42 194

Signed by

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section

File No 111 - 41

Serial No 66

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Letter No CR C 342/40 Dy 30-4-41 from the Mil Commrr, Bangalore city forwarding for appl draft Byelaws framed by the Municipal Council approved on the under section 51 (1) of the Mysore City Municipal Act 1933 and approved by them Order thereon—No in their meeting held on 18-4-41, for regulating the disposal of the dead in the city

Order No L 10247-8

The Byelaws are approved as modified and appended to this order

No RO C 169-2 Dy 237-41 from the Dir of P Health on the subject

The Md Commr is requested to have to get Item printed ~~of~~ a dozen Copies thereof ~~and~~ to this office for record ~~of~~

Thr
For Dep't Comr
Law Dept
To the Md Commr, Bacty, Thr Phy
The Bd of P Health

List of Enclosures

Copied by

Examined by

WD 087—GPB—40 000—14 11 40

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read —

Letter No.C2.C342/40, dated 30th April 1941 from the Municipal Commissioner, Bangalore City, forwarding for approval draft Byelaws framed under section 51(1)(g) of the Mysore City Municipalities Act 1933 and approved by the Municipal Council in their meeting held on 18th April 1941, for regulating the disposal of the dead in the city.

2. U.O.No.C169-2, dated 23rd July 1941 from the Director of Public Health, on the subject.

ORDER NO. L.10247-81 Jud III-31-41

Dated, Bangalore, the 27 ~~September 1941~~ 28 April 1942.

The Byelaws are approved as modified and appended to this Order.

The Municipal Commissioner is requested to get them printed and to send a dozen copies thereof to this office, for record.

Ramachandra

for SECRETARY TO GOVERNMENT
in LAW DEPARTMENT.

To - The Municipal Commissioner, Bangalore City, through the President, City Municipal Council, Bangalore.
Director of Public Health.

BKP/4-

Bye-laws for regulating the disposal of the dead within the Municipal limits of the City of Bangalore, framed under Section 51(1)(g) of the Mysore City Municipalities Act VII of 1933

---

1. Except the Municipal burial and burning grounds mentioned below, no place shall be used for the purpose of burying or burning the dead, unless registered as a place for such use in the office of the Municipal Council

(1) Sunnakal tank burial and burning grounds
(2) Mysore Road -
    (a) Hindu burial-ground
    (b) Mohammadan burial-ground
    (c) Christian burial-ground
(3) Kempambudi burial and burning grounds
(4) Hanumanthapur burial and burning grounds
(5) Channammankere -do-
(6) Agrahara Burial-ground
(7) Malleswaram Burial and burning grounds
(8) Cuttahalli -do-
(9) Munireddipalya -do-

2 Every owner or person having control of any place used as burial or burning ground shall cause the same to be registered in a register which shall be maintained in the office of the Municipal Council for that purpose together with the names of the owner and persons having control thereof and shall deposit in the Municipal Office at the time of registration a plan of the said place showing the extent and boundaries thereof.

A fee of Rs 5/- shall be paid for every such registration and the Municipal Commissioner may cancel such registration on grounds of Public Health and safety and the place shall not thereafter be used for the purpose of burying and burning the dead

3 If it appears to the Municipal Commissioner that there is no owner or person having the control of any such place, he may assume control thereof and direct it to be registered or may cause it to be closed

4 Notice of the registration shall be affixed in English and Kannada in some conspicuous place at or near the entrance to such place

5 Whoever after the registration of any such place acquires by inheritance, transfer or any other means the ownership or control thereof shall, within one month of such acquisition, give information thereof in writing to the Municipal Commissioner

6 The owner or the person having control of any such place shall, when so required by the Municipal Commissioner, give all information that may be required regarding the attendants employed, or the system of management followed therein, or any other matter connected with the control thereof.

7 The owner or any person having control of any such place shall cause the same to be kept at all times in a cleanly state and free from noxious vegetation to the satisfaction of the Commissioner* by notice in writing, cause the same to be enclosed by a sufficient wall or fence

* or the Health Officer and shall if so required by the Commissioner

8 The person having control of every such place shall give information within twenty four hours to such persons as may be appointed by the Commissioner in that behalf and in such form as may be prescribed by the Commissioner of all burials and burnings which take place therein

9. No person shall bury or cause to be buried any corpse or part of a corpse in a grave whether dug or constructed of masonry or otherwise in such manner that the surface of the coffin, or the surface of the body where no coffin is used, is at a less depth than five feet from the surface of the ground and no grave shall be used for the burying of more than one corpse except in the case of two or more members of one family being buried at the same time or in the case of sanction being obtained under bye-law 11 to re-open an old grave or family vault.

10. No person shall build or dig or cause to be built or dug any grave in any burial-ground, at a less distance than two feet from the margin of any other existing grave.

11. No person shall, without the sanction in writing of the Commissioner or an order in writing of a Magistrate of competent jurisdiction, re-open a grave already occupied.

12. Whoever brings or conveys or causes to be brought or conveyed a corpse or part thereof to any burial or burning ground, shall cause the same to be buried or burnt within six hours after its arrival at such ground.

13. No person, when burning or causing to be burnt a corpse or part of a corpse in any burning ground, shall permit the same or any part thereof to remain without being completely reduced to ashes.

14. No person shall permit clothes or any other articles connected with the burning of any corpse, to remain at or near a burning ground without being completely reduced to ashes.

15. All burials and burnings in the cemeteries shall be registered by the Cemetery Registrar in books in the form as per appended schedule "A". All such entries shall be made consecutively from the beginning to the end of the book.

16. Whoever brings or conveys or causes to be brought or conveyed a corpse to any burial or burning ground, shall give to the Cemetery Registrar in charge according to the best of his or her knowledge and belief such information of the several particulars as may be required to be known and registered touching the death of such person.

17. No person shall act as Vettiyan, grave digger or other attendant in a Municipal burial or burning ground without being licensed for that purpose by the Commissioner.. Licenses granted for such purposes shall be in the form as per appended Schedule 'B' and may be withdrawn or cancelled at the discretion of the Commissioner.

18. No person shall erect or build or cause to be erected or built any monument or tomb, stone, shrine, temple, building, enclosure in any municipal burial or burning ground without the sanction in writing of the Commissioner. A fee of eight annas per square foot or part of a square foot shall be paid by the applicant before such sanction is granted by the Commissioner. The Commissioner may cause anything so erected or built without his sanction, to be demolished. Provided that each community may erect, free of charge, over the grave area measuring 7 feet by 4 feet any cross, stone, gori, brindavan, samadhi or tomb required by the religious usages of that community.

19. No person shall burn or bury the dead in any place other than in the municipal burning or burial grounds or in any place duly registered for such purpose in the office of the Municipal Council under Bye-law 2.

20 No corpse shall be buried in any vault or masonry grave provided with a permanent floor which it is intended at any time after within fourteen years to reopen unless the coffin be separately entombed in an air tight manner by properly cemented stone or brick work which should never be disturbed

21 No person shall carry a corpse or part of a corpse through any street, otherwise than decently covered

22 No person while carrying a corpse within the city shall leave or expose the same in or near any street for any purpose whatever.

23 No person shall remove otherwise than in a closed receptacle any corpse or part of a corpse kept or used for the purpose of dissection

24 No person shall carry any dead body in any street which is prohibited by a notification by the Municipal Council

25 No dead body shall be kept in any premises without burial or burning for more than thirty six hours after death

26 Whoever infringes any of the provisions of these bye-laws shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs 100/-

for SECRETARY TO GOVERNMENT
LAND DEPARTMENT.

DYP/4-

SCHEDULE "B" (UNDER BYE LAW 17)

=o=

BANGALORE CITY MUNICIPALITY
Health Department

Under the provisions of the Bye-laws for regulating the disposal of the dead
is hereby licensed to act as
at the burial and burning ground
on Road in the Municipal Division under the conditions named on the reverse hereof

Place
Date

Municipal Commissioner

CONDITIONS OF LICENSE

This license may be withdrawn or cancelled on proof of the licensee

(a) not being available, without reasonable excuse at the said burial or burning ground at any time or times at which - his services as may be required by any member or members of the community usually resorting to it

(b) or neglecting to do the duty usually required of him there as such on occasions of burial or burning

(c) or causing, or permitting, or being a party to, any infringement of the rules laid down in the bye-laws for regulating the disposal of the dead, as far as they affect him and his duties as such

(d) or demanding or attempting to extort any fee,

(e) or being guilty of any misconduct which, in the -- opinion of the Commissioner, requires the withdrawal of the license

==ooo==

for Secretary to Government,
Law Department

kas/4

SCHEDULE A (under bye-law 15)

Name	Age	Sex		Nationality or caste	Occupation or calling (in the case of soldiers enter rank number and regiment	Place or residence and of death	date of death	Cause of death	Duration of illness	Name of the Medical practitioner
		Male	Female							
1	2	3	4	5	6	7	8	9	10	~~11~~

for Secretary to Government,
Law Department

kas/4